

Report of: Executive Member for Health and Well-Being

Meeting of:	Date	Ward(s)
Executive	24 September 2015	All

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If part of the report is not for publication because it contains exempt information under Schedule 12A of the Local Government Act 1972 (see Appendix 5 to the Constitution), create a separate appendix for the exempt information (further guidance follows at the end of the template) and insert the following wording here:

## APPENDIX 1 TO THIS REPORT IS NOT FOR PUBLICATION

### SUBJECT: Contract Award – Integrated Digital Care Record and Person Held Record.

#### 1. Synopsis

- 1.1 This report seeks Contract Award approval for the procurement undertaken by the Islington Pioneers for services related to the Integrated Digital Care Record and Personal Held Record programme.
- 1.2 Islington Integrated Care Pioneer and Partners, including Islington Clinical Commissioning Group (CCG) and Islington Council, wishes to appoint a suitably qualified service provider for the provision of an Integrated Digital Care Record (IDCR) solution (software and services) to support the delivery of integrated health and social care services across Islington.

#### 2. Recommendations

- 2.1 To approve the contract award for the Integrated Digital Care Record and Personal Held Record Programme as outlined in this report to BT for a period of five years.
- 2.2 To approve the execution of a tri-partite agreement between Islington Council, Islington CCG and BT for the provision of services related to the Integrated Digital Care Record and Personal Held Record Programme.

2.3 For receipt of funding from the Department of Health and the CCG for Islington Council to administer the arrangements.

### **3. Background**

#### **3.1 Nature of the service**

3.1.1 At the end of 2013, Islington CCG in conjunction with Islington Council and Whittington Health, succeeded in a joint bid to secure Pioneer Status as part of the Department of Health's programme to transform the way health and care services are planned and delivered across the country. Islington was named as one of fourteen pilot sites across England.

3.1.2 As a Pioneer organisation, Islington made a commitment to driving transformation and integration. It has been developing its integrated care programme working alongside Pioneer colleagues, partners and providers. In order to make a difference, ensure the CCG delivers the digital vision set out by the Department of Health in 2012 and take forward our Pioneer plans to integrate care across our partners Islington must transform the use and publication of information to patients, residents, clinicians and other staff in health and social care.

3.1.3 This procurement will deliver two objectives that Islington now needs to achieve:

- Having a person held health and social care record for the citizens of Islington that is across commissioners and health and social care providers, so that the individual holds and manages their care and gives consent to providers of care to view their record based on an agreed data set. Providers thereby work together to provide high quality care;
- Interoperability and information exchange between organisations. This would allow the flow of data to be sent between two or more organisations for the benefit of co-ordinating service provision across care pathways improving patient care and data analysis.

3.1.4 Developing and implementing an Integrated Digital Care Record and Person Held Record between health providers has a number of objectives:

- Put the patient at the heart of care, empower them to manage their own care and be part of decision-making;
- Empowering clinicians with real-time, accurate information and improve patient outcomes;
- Make the shared patient data available to authorised clinicians and carers where and when it is needed;
- Support assessment and other data collection forms so that users from different care settings can add data;
- Support workflow so that clinicians and carers can perform tasks and then inform, refer or handover to others;
- Include an automated alerting facility using text messages, emails and in-system messaging so that clinicians and carers can be notified of key events - a patient under their care being admitted to hospital, for example;
- Create enhanced real time information to inform planning and commissioning.

3.1.5 This innovative solution will also require a Person Held Record (PHR) for the citizens of Islington that will enable the exchange of information with health and social care services and interact in multiple and innovative ways and assist patients and carers in managing health and wellbeing.

- 3.1.6 The solution will be used and accessed by Islington health and social care staff as well as other organisations that need to have access to the solution to support patient care, new ways of working such as new models of care, clinical pathways and collaborative working.
- 3.1.7 This will include other healthcare organisations, social care partners, independent sector providers third sector. The solution must be capable of supporting the delivery of care across multiple care settings including flexible integration and interoperability with existing and future organisation systems.
- 3.1.8 The Contract Notice was issued via the Official Journal of the European Union (OJEU) and Contracts Finder on 27 February 2015 and also invited potential suppliers to attend a Supplier Event. The original deadline for the receipt of tenders was the 15 April 2015 however following feedback from the potential bidders at the Supplier Event this was extended to 29 April 2015.
- 3.1.9 Following a full procurement exercise through the Open OJEU process, the most economically advantageous tenderer was found to be BT (see attached Appendix 1).

### 3.2 Timetable

Key milestones for concluding the procurement activities are:

Milestone Description	Date
Contract Signed	12-14 October 2015
Contract Go-Live	16 October 2015

The system should go-live in June 2016 following design and build, training and piloting the system.

### 3.3 Options appraisal

Full options appraisal was undertaken and the full business case is available on the Islington CCG website [here](#).

### 3.4 Key Considerations

- 3.4.1 This report concerns the procurement of an Integrated Digital Care Record (IDCR) and Person Held Record (PHR) which provides business intelligence and interoperability across Islington health and social care services.
- 3.4.2 The service relates to the development of software and hosted database servers. The project does not directly cover the employment of staff, thus there have been no TUPE, pensions or staffing implications identified in this procurement. Developers of software of this nature will be paid in excess of the London Living Wage, nonetheless a London Living Wage consideration report is being produced.
- 3.4.3 The business case outlines a number of key benefits covering a resident/patients experience as well as financial benefits when the system is fully operational. The project has social value considerations in the better management of residents' health and well-being through more efficient processes and systems. Environmental impact and health and safety impact assessments are being completed..

### 3.5 Evaluation

The tender was conducted in one stage, known as the Open Procedure as the tender is 'open' to all organisations who express their interest in the tender.

The evaluation panel was made up of stakeholders from the CCG, the Council, lay members and independent expertise.. The full breakdown of the award criteria was based on seven broad elements:

<b>Tender Responses Evaluation</b>	<b>Weighting (%)</b>
<b>Functional User Requirements</b>	15%
<b>Technical Requirements</b>	10%
<b>Interoperability and Integration</b>	10%
<b>Information Governance and Compliance</b>	10%
<b>Implementation and Support</b>	10%
<b>Information Governance</b>	10%
<b>Experience and Ability to Deliver</b>	10%
<b>Quality Weighting (Total)</b>	<b>75%</b>
<b>Proposed Pricing</b>	<b>25%</b>
<b>TOTAL</b>	<b>100%</b>

Eight organisations put forward bids in response to the invitation to tender. It is proposed that the contract is awarded to the highest scoring organisation, as per the recommendations. Appendix 1 (Exempt) contains a full breakdown of scores awarded to all bidders.

### 3.6 Business Risks

The main risks and mitigating factors are summarised in the table below:

<b>Risks</b>	<b>Mitigation</b>
High percentage of patients choose to opt out thereby reducing the achievement of potential system benefits	Development and execution of a robust communications and engagement plan
If a proprietary solution is identified as the preferred option later in the project, partners may require a larger number of patients than are present in the Islington area	If a proprietary solution is chosen, it may be necessary to look for opportunities to partner with neighbouring boroughs to meet minimum patient thresholds
There is a risk of reputational damage if the solution does not perform in the manner intended or technical problems prevent the solution working	Ensure that the contract with a partner(s) is constructed so that the risk that the solution is built to specification and technological risks are borne by the partner.
Future organisational changes within the NHS mean that existing organisations such as Islington CCG change	Legacy organisations continue to own the system but any new organisation will be able to utilise the functionality provided
As the number of patients/citizens that connect and share data grows and becomes large, there is greater opportunity for data to leak	A robust Consent and Information Governance Model will be put in place along with strong controls over accreditation for systems that connect with the PHR
There is a risk of the system being too open and patients share data more widely than has been traditional in a clinical context	Communications will make patients aware of the implications of sharing records but it will ultimately be their decision
Vulnerable patients may feel under pressure to share data or have data shared, whilst having little control themselves; e.g. domestic violence	Patient safety will be ensured by working with clinicians and patient groups to agree standards to protect vulnerable individuals

- 3.7 The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to sign the Council's anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences. The adequacy of these measures will initially be assessed by officers and the outcome of that assessment will be reviewed by the Council's Procurement Board.
- 3.8 The following relevant information is required to be specifically approved by the Executive in accordance with rule 2.6 of the Procurement Rules:

Relevant information	Information/section in report
1 Nature of the service	See paragraph 3.1
2 Estimated value	The initial build costs, £3.65m (excl. VAT). The on-going costs including project support costs, maintenance, hosting and licences amounts to £4.85m (excl. VAT) from 2014/15 to 2020/21. The agreement is proposed to run for a period of five years.
3 Timetable	See paragraph 3.2.
4 Options appraisal	See paragraph 3.3.
5 Key Considerations	See paragraph 3.4.
6 Evaluation	See paragraph 3.5
7 Business Risks	See paragraph 3.6
8 Any other relevant financial, legal or other considerations.	See paragraph 4.

## 4. Implications

### 4.1 Financial implications:

The Contract value for the Integrated Digital Care Record (IDCR) and Person Held Record (PHR) is £8.50m (excl. VAT) over 5 years. This is divided into £3.65m (excl. VAT) build cost and £4.85m (excl. VAT) ongoing cost (approx. £1m per annum).

The Integrated Digital Care Record (IDCR) and Person Held Record (PHR) build cost of £3.65m (excl. VAT) is to be funded from the following sources:

- Department of Health Capital Grant £1.35m
  - Islington CCG and Islington Council were successful in bidding for the Integrated Digital Care Fund for the Development and Implementation of Person Held Record and Interoperability
  - As a result Islington Council received £0.30m in 2014/15 and £1.10m in 2015/16 in the form of "The Integrated Digital Care Fund (capital) Grant" from the Department of Health.
- Islington CCG Capital Funding - £1.30m
- NHS Funding for Social Care – Integration Payment - £0.40m

- The Council will contribute funding from its Adults Community Capacity Capital Grant - £0.60m

The ongoing expenditure of £1.00m (excl. VAT) per annum for the Integrated Digital Care Record (IDCR) and Person Held Record (PHR) will be met by the Islington CCG via the Better Care Fund.

In order to ensure the grant conditions set out in the relevant grant determinations are met, Islington Council will host the budget and will ensure expenditure is lawfully incurred in accordance with the pioneer project.

#### 4.2

#### **Legal Implications:**

The Council may procure services related to the Integrated Digital Care Record and Personal Held Record Programme under the general power of competence in section 1 of the Localism Act 2011 and/or the incidental power set out in section 111 of the Local Government Act 1972. The Council may also jointly procure this services with Islington CCG under section 111 of the Local Government Act 1972 which provides the power for the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Council may enter into contracts for such services under section 1 of the Local Government (Contracts) Act 1997.

The threshold for application of the Public Contracts Regulations 2015 (the Regulations) is currently £172,514. The value the proposed contract is above this threshold. Contracts above this threshold must be procured with advertisement in the Official Journal of the European Union and with full compliance of the Regulations. The Council's Procurement Rules require contracts of this value to be subject to competitive tender. In compliance with the principles underpinning the Regulations and the Council's Procurement Rules a competitive tendering procedure with advertisement has been used. Bids were subject to evaluation in accordance with the tender evaluation model and BT gained the highest evaluation score and may therefore be awarded the contract.

In deciding whether to award the contract to the recommended service provider the Executive should be satisfied as to the competence of the supplier to provide the services and that the tender price represent value for money for the Council. In considering the recommendations in this report members must take into account the information contained in the exempt appendix 3 to the report.

#### 4.3

#### **Environmental Implications**

There will be some minor environmental impacts associated with this contract, such as the use of offices by the organisation awarded the contract (energy, resource and water use, travel and waste generation) and energy used by the servers hosting the digital record system. However, there will also be positive impacts, such as reduced paper usage, as records will be held digitally. An integrated system providing better information, allowing better coordination and reducing duplication could also lead to a reduction in the environmental impact of the services being delivered..

#### 4.4

#### **Resident Impact Assessment:**

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

Whilst developing the funding bid and the business case for the Patient Held Record Islington the CCG's Public and Patient Engagement Group worked with local charities and resident groups to explore people's thoughts about online medical records and the sharing of these records between different health and social care professionals. People gave their views on the patient held record and highlighted issues such as access, security and consent. The findings from this research with Islington residents informed the service specification for the patient held record. Overall people were positive about the possibility of having a patient held record providing their personal information is secure,

private and used only by those directly involved in their care.

The engagement work with local people has also helped to develop the CCG's 'I statements', which also underpin the approach to integrated care.

The Patient and Public Engagement group will continue to provide feedback on the development of the system and the Project overall, including suggestions regarding design, functionality, access mechanisms and data presentation.

As part of the tender process suppliers had to outline:

- the features/functionality that support users with accessibility issues, in line with the Equality Act
- the language of the IDCR solution;
- whether video communications and sign language facilities are available; and where
- their proposal did not include these features, the supplier was asked to describe the development path or recommended solution.

Our work therefore on the RIA will continue throughout the initial stages of the implementation and will be signed off and published once the system build gets underway.

Meanwhile the CCG has tabled a related programme of work to support the completion of the RIA that covers:

- carrying out a digital inclusion audit to ensure all Islington residents can benefit from the person-held record
- an agreed communication and engagement plan outlining a full stakeholder map to enable the effective targeting of key groups and individuals
- an approved a set of quality and outcome benefits that are patient/resident focussed; and
- completing a Privacy Impact Assessment

## 5. Reason for recommendations

- 5.1 In order to ensure the grant conditions set out in the relevant grant determinations are met, Islington Council propose hosting the project budget and will ensure expenditure is lawfully incurred in accordance with the pioneer project.
- 5.2 After completing a competitive tender using the open procedure BT was found to have submitted the most economically advantageous tender and should therefore be awarded the contract.

## Appendices

- Appendix 1 – Exempt Appendix

**Background papers:** None

Final report clearance:

**Signed by:**

Date

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